

Docket No.: 2000P04015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/890,098 Confirmation No.: 5935
Inventor : Manfred Meinherz, et al.
Filing Date : July 27, 2001
Title : Multiphase Encapsulated High-Voltage Switchgear for Outdoor Uses
TC/AU : 2832
Examiner : Marina Fishman
Customer No. : 24131
Attention : Office of Petitions

Hon. Commissioner for Patents
Alexandria, VA 22313-1450

P E T I T I O N U N D E R 37 C F R 1.137(a)

Sir:

Applicants herewith petition for revival of the above-identified application under 37 CFR 1.137(a). The facts leading to this petition are set forth below.

When assuming responsibility of the instant application (a corresponding *Notice of Acceptance of Power of Attorney* was issued by the Office on September 4, 2007), undersigned counsel learned that the application had been abandoned as of February 20, 2007 due to failure to respond to an Office action dated October 8, 2002.

The previous representative, namely the law offices of Morrison & Foerster, never received the Office action of October 8, 2002. Counsel herewith submits a *Declaration in Support of Petition under 37 CFR 1.137(a)* duly executed by Ms. Peggy Luther, the lead docket specialist at Morrison & Foerster, attesting to the aforementioned facts. Also included is supporting material such as docket records of Morrison & Foerster. However, due to the events set forth below, counsel is unable to file the required response along with the instant petition.

In an attempt to obtain a copy of the Office action of October 8, 2002 so as to enable counsel to file the instant petition together with the required response, counsel has made several attempts and placed numerous telephone calls with the Office as of September 27, 2007 to ultimately find out that the Office file can no longer be located. TABLE 1 is provided on a separate sheet of paper attached hereto enumerating counsel's correspondence with the Office in chronological order.

Counsel respectfully requests that the Office file be reassembled under 37 CFR 1.251 with the attached copies of the Office communication thus far received in this application. TABLE 2 is provided on a separate sheet of paper attached hereto listing all of the communication between the Office and the applicant in chronological order.

Counsel herewith certifies that the attached copies are true and complete copies of all of the correspondence between the Office and the applicant.

The petition fee in the amount of \$200.00 is enclosed herewith. Authorization is hereby given to charge counsel's deposit account No. 12-1099 of Lerner Greenberg Stemer LLP for any fee deficiency.

In view of the foregoing, counsel respectfully requests that, upon completion of the reassembly of the Office file, the application be handed to Examiner Elvin Enad, currently listed in PAIR as the Examiner in charge of this application, for issuance of an Office action setting a new period for reply.

Respectfully submitted,

/Laurence A. Greenberg/
Laurence A. Greenberg
Reg. No. 29308

Date: June 12, 2008

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TABLE 1: Email and other correspondence between the Office and Counsel

Date	Action
April 18, 2008	Emails between Wanda Taylor and Lucia Andrade
April 16, 2008	Emails between Enad Elvin and Lucia Andrade
March 20, 2008	Email from Lucia Andrade to Enad Elvin
March 18, 2008	Email from Lucia Andrade to Enad Elvin and Examiner Fishman
March 17, 2008	Fax from Lucia Andrade to Document Services
March 11, 2008	Office communication
March 10, 2008	Email from Lucia Andrade to Enad Elvin
March 10, 2008	Fax from Lucia Andrade to Document Services
March 10, 2008	Email from Lucia Andrade to File Repository
March 7, 2008	Email from Lucia Andrade to Enad Elvin
December 19, 2007	Email from Birgit Bartell to USPTO general information division
December 19, 2007	Telephone call to and from Mr. Enad
November 16, 2007	Telephone message for Mr. Enad
October 18, 2007	Telephone message for Mr. Enad
October 3, 2007	Telephone call from AU 2832
October 2, 2007	Telephone message for AU 2832
September 27, 2007	Telephone call for AU 2832

Lucia Andrade is the comptroller at the law offices of Lerner Greenberg Stemer LLP
Birgit Bartell is head secretary at the law offices of Lerner Greenberg Stemer LLP

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Attachment to submission dated 6/11/2008

TABLE 2: Correspondence between the Office and Applicant

Date	Action
September 4, 2007	Notice of Acceptance of Power of Attorney
September 4, 2007	Notice Regarding Change of Power of Attorney Executed Power of Attorney and Statement under 37 CFR 3.73(b) Request for Withdrawal as Attorney or Agent and Change of Correspondence Address
September 10, 2003	IDS and receipt of stamped postcard
February 4, 2003	Status Inquiry and receipt of stamped postcard
November 1, 2001	Transmittal letter, Copy of Notice of Missing Requirements, English Translation of Specification and Annexes of IPER
September 19, 2001	Notification of Missing Requirements
July 27, 2001	Request for National Phase Entry consisting of Transmittal letter, ADS, WO Publication, Preliminary Examination Report, ISR, IDS, Signed Declaration, Signed Assignment, receipt of stamped postcard with application number